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**FACSIMILE COVER LETTER**

**To:** R. Kallis  
**Firm:** U.S.P.T.O.  
**Facsimile No.:** 703-872-9306  
**From:** Marilyn Matthes Brogan  
**Date:** February 12, 2004  
**Re:** U.S. Application Serial No. 09/744,852  
Our Ref. No. 514413-3864  
**No. of Pages:** 8  
(including cover page)

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PATENT  
514413-3864**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

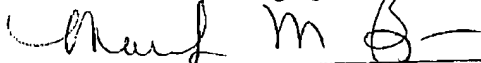
Applicant : Claus Frohberg  
Serial No. : 09/744,852  
Filed : May 31, 2001  
For : NUCLEIC ACID MOLECULE CODING FOR  $\beta$ -AMYLASE,  
PLANTS SYNTHESIZING A MODIFIED STARCH, METHOD  
OF PRODUCTION AND APPLICATIONS  
Examiner: : R. Kallis  
Group Art Unit : 1638

745 Fifth Avenue, New York, NY 10151

**EXPEDITED PROCEDURE**  
**RESPONSE AFTER FINAL ACTION**  
**UNDER 37 C.F.R. 1.116****FACSIMILE**

I hereby certify that this paper is being facsimile transmitted to the  
Patent and Trademark Office on the date shown below.

Marilyn Matthes Brogan Reg. No. 31,223

Type or print name of  
person signing certification

Signature

February 12, 2004

Date of Signature

**SECOND AMENDMENT AFTER FINAL OFFICE ACTION**  
**WITH REQUEST FOR EXTENSION OF TIME****Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22131-1450

Sir:

This is in response to the Advisory Action mailed on January 16, 2004, and in further  
response to the Office Action mailed on September 10, 2003.

PATENT  
514413-3864

**PETITION FOR EXTENSION OF TIME**

Pursuant to 37 C.F.R. §1.136(a), a three-month extension of the period for reply, *i.e.*, to up to and including March 10, 2004, is requested. The Commissioner is authorized to charge \$950.00 in payment of the fee under 37 C.F.R. §1.17(a), any additional required fee for this extension of time or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.